

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 25–33 are in the present application. It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner and are in full compliance with the requirements of 35 U.S.C. § 112. These new claims, as presented herein, are not submitted for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these claims are submitted simply for clarification and to round out the scope of protection to which Applicant is entitled. Claims 1–24 are cancelled.

In the accompanying Request for Approval of Drawing Changes, drawing Figure 3 has been amended in accordance with the Examiner's comments. Regarding the Examiner's objection to Page 34/34, this page is relevant only to the related PCT application. Applicant has deleted Page 34/34 and now believes this objection is moot.

Claims 1, 3, 15, and 17 were objected to under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Accordingly, claims 1, 3, 15, and 17 have been cancelled and new claims are presented which address each of the Examiner's comments. Therefore, Applicant believes this objection is moot.

Claims 1-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lee et al. (U.S. Patent 5,703,994). However, the present invention applies to a "digital cassette having a tape medium and an attached memory." (Claims 25, 28; Claim 31 contains similar limitations) Whereas, Lee does not discuss a videotape cassette having an integrated memory. Rather, Lee indexes and records the index at the beginning and/or the end of a videotape. (Abstract) By contrast, the present invention "record[s] the index information in the attached memory of said digital cassette." (Claims 25, 28; Claim 31 contains similar limitations) Further, the present invention "record[s] the additional index information in at least one of the attached memory or a sub-code section of the tape medium." (Claims 25, 28; Claim 31 contains similar limitations) As shown in Figures 20-23, each track throughout the tape contains sub-code sections. Thus, Lee's recording of the index data at the ends of the tape is simply not analogous to the present invention's additional index information being stored either in the attached memory or distributed in the sub-code sections throughout the tracks of the tape. Therefore, for at least these reasons, Lee fails to anticipate the present invention and claims 25-33 should be allowed.

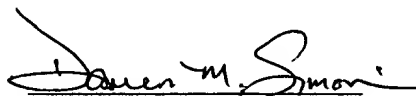
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Darren M. Simon". The signature is fluid and cursive, with the first name "Darren" being more prominent.

Darren M. Simon
Reg. No. 47,946
(212) 588-0800